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2                   UNITED STATES DISTRICT COURT  
3                   EASTERN DISTRICT OF WASHINGTON  
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5                   UNITED STATES OF AMERICA,

No. 4:14-MJ-7139-JPH

6                   Plaintiff,

ORDER SETTING  
7                   vs.  
8                   DALE H. WEBER,  
9                   Defendant.

ACTION REQUIRED

11                  **IT IS ORDERED** that the release of the Defendant is subject to the  
12 following:

13                  **STANDARD CONDITIONS OF RELEASE**

- 14                  (1) Defendant shall not commit any offense in violation of federal, state or local  
15 law. Defendant shall advise the supervising Pretrial Services Officer and  
16 defense counsel within one business day of any charge, arrest, or contact  
17 with law enforcement. Defendant shall not work for the United States  
18 government or any federal or state law enforcement agency, unless  
19 Defendant first notifies the supervising Pretrial Services Officer in the  
captioned matter.
- 20                  (2) Defendant shall immediately advise the court, defense counsel and the U.S.  
21 Attorney in writing before any change in address and telephone number.
- 22                  (3) Defendant shall appear at all proceedings as required and shall surrender for  
23 service of any sentence imposed as directed.
- 24                  (4) Defendant shall sign and complete A.O. Form 199C before being released  
25 and shall reside at the address furnished.
- 26                  (5) Defendant shall not possess a firearm, destructive device or other dangerous  
27 weapon.
- 28                  (6) Defendant shall report to the United States Probation Office before or

1 immediately after release and shall report as often as they direct, at such  
2 times and in such manner as they direct.

- 3 (7) Defendant shall contact defense counsel at least once a week.  
4 (8) Defendant is further advised, pursuant to 18 U.S.C. § 922(n), it is unlawful  
5 for any person who is under indictment for a crime punishable by  
6 imprisonment for a term exceeding one year, to possess, ship or transport in  
7 interstate or foreign commerce any firearm or ammunition or receive any  
8 firearm or ammunition which has been shipped or transported in interstate or  
foreign commerce.  
9 (9) Defendant shall refrain from the use or unlawful possession of a narcotic  
10 drug or other controlled substances defined in 21 U.S.C. § 802, unless  
11 prescribed by a licensed medical practitioner. . Defendant may not possess  
12 or use marijuana, regardless of whether Defendant has been prescribed a  
medical marijuana card.  
13 (10) Defendant shall surrender any passport to Pretrial Services and shall not  
14 apply for a new passport.

15 **BOND**  
16

- 17 (11) Defendant shall execute an unsecured appearance bond in the amount of  
18 twenty thousand **dollars (\$20,000.00)** in the event of a failure to appear as  
19 required or to surrender as directed for service of any sentence imposed.

20 **ADDITIONAL CONDITIONS OF RELEASE**

21 Upon finding that release by one of the above methods will not by itself  
22 reasonably assure the appearance of the Defendant and the safety of other persons  
23 and the community, **IT IS FURTHER ORDERED** that the release of the  
24 Defendant is subject to the following additional conditions:  
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- 26  
27 (12) Defendant shall reside at his residence in West Richland, Washington.  
28

- (13) Defendant shall maintain or actively seek lawful employment.
  - (14) Defendant shall remain in the Eastern District of Washington while the case is pending. On a showing of necessity, and with prior notice by the defense to the assigned Assistant U.S. Attorney, the Defendant may obtain prior written permission to temporarily leave this area from the United States Probation Office.
  - (15) Defendant shall avoid all contact, direct or indirect, with any persons who Defendant would reasonably know are or may become a victim or potential witness in the subject investigation or prosecution.
  - (16) Defendant shall not be in the presence of minors.
  - (17) Defendant shall not frequent schools or playgrounds or places where minors are known to congregate such as malls, arcades, theaters, etc.
  - (18) Defendant shall not be within 500 feet of a school or park.
  - (19) Defendant shall not possess a firearm, destructive device or other dangerous weapon.
  - (20) There shall be no firearms in the home where Defendant resides.
  - (21) Defendant shall not have access to the internet, unless while at work for work purposes only.
  - (22) Defendant shall not possess a cell phone.
  - (23) Defendant shall not have access to his wife's cell phone or any electronic device in the home. Defendant's wife shall password protect any cell phone or electronic device using a password unknown to the Defendant.

## **SUBSTANCE ABUSE EVALUATION AND TREATMENT**

- (24) **Substance Abuse Evaluation:** Defendant shall undergo a substance abuse evaluation if directed by a U.S. Probation Officer.

(25) **Prohibited Substance Testing:** If random urinalysis testing is not done through a treatment program, random urinalysis testing shall be conducted

1 through Pretrial Services, and shall not exceed six (6) times per month.  
2 Defendant shall submit to any method of testing required by the Pretrial  
3 Service Office for determining whether the Defendant is using a prohibited  
4 substance. Such methods may be used with random frequency and include  
5 urine testing, the wearing of a sweat patch, a remote alcohol testing system,  
6 and/or any form of prohibited substance screening or testing. Defendant  
7 shall refrain from obstructing or attempting to obstruct or tamper, in any  
8 fashion, with the efficiency and accuracy of prohibited substance testing.  
Full mutual releases shall be executed to permit communication between the  
court, Pretrial Services, and the treatment vendor. Treatment shall not  
interfere with Defendant's court appearances.

9 **HOME CONFINEMENT/ELECTRONIC/GPS MONITORING**

- 10 (26) Defendant shall participate in one or more of the following home  
11 confinement program(s):

12 **GPS Monitoring:** The Defendant shall participate in a program of GPS  
13 confinement. The Defendant shall wear, at all times, a GPS device under the  
14 supervision of U.S. Probation. In the event the Defendant does not respond  
15 to GPS monitoring or cannot be found, the U.S. Probation Office shall  
16 forthwith notify the United States Marshals' Service, who shall immediately  
17 find, arrest and detain the Defendant. The Defendant shall pay all or part of  
18 the cost of the program based upon ability to pay as determined by the U.S.  
Probation Office.

19 **Home detention:** Defendant shall be restricted to his residence at all times  
20 except for: work; attorney visits; court appearances; case-related matters;  
21 court-ordered obligations; medical necessities; substance abuse testing or  
22 treatment; or other activities as pre-approved by the Pretrial Services Office  
or supervising officer

23 DATED October 29, 2014.

24 s/James P. Hutton  
25 JAMES P. HUTTON  
26 UNITED STATES MAGISTRATE JUDGE  
27  
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